

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

SEVENTY-FOURTH LEGISLATURE

HOUSE.

No. 660

STATE OF MAINE.

IN THE YEAR OF OUR LORD ONE THOUSAND NINE
HUNDRED AND NINE.

AN ACT relative to the Bangor and Brewer highway bridge.

Be it enacted by the People of the State of Maine, as follows :

Section 1. The Commissioner of Highways of the State
2 of Maine shall forthwith investigate and examine the Ban-
3 gor and Brewer highway bridge over the Penobscot River,
4 between the cities of Bangor and Brewer, and ascertain the
5 condition of said bridge, its approaches, piers, abutments,
6 spans and superstructures, and other parts, as to their con-
7 dition of repair, strength, safety and suitability for the uses
8 to which said bridge is now being put.

The said Commissioner of Highways shall, as soon as may
10 be, report his findings in the premises to the County Com-
11 missioners of Penobscot County, the City Council of the City

12 of Bangor and the City Council of the city of Brewer.

Sect. 2. If the said Commisisoner of Highways upon said
2 investigation and examination shall find that said bridge, its
3 approaches, piers, abutments, spans and superstructures, or
4 any of said or other parts of said bridge, are either unsafe,
5 unsound, unfit, unsuitable or of insufficient condition of re-
6 pair or of unsuitable design for the purposes for which said
7 bridge is now being used ; or if he shall find that it is not pos-
8 sible to ascertain that said bridge or its said parts are safe
9 and in proper and suitable condition for the purposes afore-
10 said, then and in either event he shall so report and he shall
11 recommend what changes, additions, repairs or alterations in
12 said bridge, or its said parts, shall be made in order to put
13 said bridge and its said parts in proper and safe condition.

Sect. 3. If the said Commissioner of Highways shall find
2 and shall so report, any or all the conditions existing in said
3 bridge, or its said parts as are described in section two, and
4 shall recommend said changes, additions, repairs or altera-
5 tions as provided in said section, then the said cities of Ban-
6 gor and Brewer, bearing the expense of said changes, addi-
7 tions, repairs or alterations in the proportion of four-fifths by
8 the city of Bangor and one-fifth by the city of Brewer as now
9 provided by law, shall forthwith proceed to make said
10 changes, additions, repairs or alterations in said bridge, or
11 or its said parts, as may be recommended by said Commis-
12 sioner of Highways.

Sect. 4. If the said cities of Bangor and Brewer shall

2 neglect or refuse to commence the making of said changes,
3 additions, repairs or alterations of said bridge, its approach-
4 es, piers, abutments, spans, superstructures, or other parts,
5 as may be recommended by said Commissioner of Highways,
6 within sixty days from the reception of the report of the said
7 Commisisoner of Highways by said cities, or if, after having
8 commenced making said changes, additions, alterations or
9 repairs, said cities shall refuse or neglect to complete said
10 work within a reasonable time, then and in either event the
11 County Commissioners of Penobscot County shall forthwith
12 prosecute said work to completion, and for said purpose shall
13 obtain loan or loans of money for said purpose and shall
14 cause notes or obligations of said county bearing interest at a
15 rate not exceeding six per cent to be issued upon such time
16 as said Commissioners may deem expedient.

The said County of Penobscot shall have and maintain an
18 action at common law against said city of Bangor for four-
19 fifths of the amount of money so expended as aforesaid by it
20 for the purposes aforesaid and against the city of Brewer for
21 one-fifth of said amount of money, together with interest at
22 the rate of six per cent on each of said amounts from the
23 time when said amounts shall be expended as aforesaid.
24 Said suits shall be made returnable in the Supreme Judicial
25 Court of said State holden within and for the County of
26 Penobscot.

STATE OF MAINE.

HOUSE OF REPRESENTATIVES,

Augusta, March 17, 1909.

Tabled pending reference to a committee by Mr. STRICK-
LAND of Bangor and ordered printed.

E. M. THOMPSON, *Clerk.*